

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
Caption in compliance with D.N.J. LBR 9004-1

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*Counsel to the Debtors
and Debtors-in-Possession*

In re:
NEW ENGLAND MOTOR FREIGHT, INC.,
et al.,
Debtors.¹

FILED
JEANNE A. NAUGHTON, CLERK

APR 16 2019

U.S. BANKRUPTCY COURT
NEWARK, N.J.
BY *M. Galetz* DEPUTY

Chapter 11
Case No. 19-12809 (JKS)
(Jointly Administered)

**ORDER (I) AUTHORIZING THE REJECTION OF CERTAIN UNEXPIRED LEASES
OF NON-RESIDENTIAL REAL PROPERTY, (II) AUTHORIZING THE
ABANDONMENT OF RELATED PROPERTY, (III) ESTABLISHING A CLAIMS BAR
DATE, AS APPLICABLE, AND (IV) GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through and including four (4), is hereby **ORDERED**.

4/16/19 *[Signature]*

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); MyJon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

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Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order (I) Authorizing the Rejection of Certain Unexpired Leases of Non-Residential Real Property, (II) Authorizing the Abandonment of Related Property, (III) Establishing a Claims Bar Date, as Applicable, and (IV) Granting Related Relief

Upon the Motion² of the Debtors in the above-captioned Chapter 11 Cases seeking, pursuant to sections 105(a), 365(a), and 554 of the Bankruptcy Code and rule 6006 and 6007 of the Federal Rules of Bankruptcy Procedure, the entry of an order (i) authorizing the Debtors' rejection of the unexpired leases of non-residential real property listed on Exhibit A attached hereto, (ii) authorizing the abandonment of Related Property, (iii) establishing a deadline to file proofs of claim, as applicable, and (iv) granting related relief; and the Court having determined that the relief sought in the Motion is in the best interest of the Debtors, their estates and creditors, and other parties-in-interest; and the Court having jurisdiction to consider the Motion and the relief requested therein; venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED** as set forth herein.
2. The Designated Leases listed on Exhibit A are, or shall be, deemed rejected effective as of the Rejection Date indicated on Exhibit A.
3. The counterparties to the Designated Leases shall be prohibited from setting off or otherwise using security deposits or other monetary deposits in their possession or control to reduce their claim(s) against the Debtors without prior Court approval.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

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Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order (I) Authorizing the Rejection of Certain Unexpired Leases of Non-Residential Real Property, (II) Authorizing the Abandonment of Related Property, (III) Establishing a Claims Bar Date, as Applicable, and (IV) Granting Related Relief

4. Any party in interest that asserts a claim arising out of, or related to, the rejection of Designated Leases and/or the removal or disposition of Related Property, must file a proof of claim *by the later of* either: (i) the deadline established in these Chapter 11 Cases for the filing of proofs of claim (“Claims Bar Date”) or (ii) sixty (60) days after the Rejection Date (the “Rejection Bar Date” and together with the Claims Bar Date, the “Bar Date”). If such a claim is not filed by the applicable Bar Date, said claim shall be barred from receiving any distribution in these Chapter 11 Cases.

5. The rights of all parties, including the Debtors, to contest any and all claims arising out of, or related to, the rejection by the Debtors of Designated Leases and/or the removal or disposition of Related Property are fully preserved.

6. The Debtors are deemed to have abandoned the Related Property as of the applicable Rejection Date. Moreover, the landlord of any premises subject to a Designated Lease may, in their sole discretion and without further notice, dispose of such Related Property on or after the applicable Rejection Date without liability to the Debtors or third parties and, to the extent applicable, the automatic stay is modified to allow such disposition. The Debtors shall use reasonable efforts to remove any leased Related Property from the premises subject to a Designated Lease prior to the applicable Rejection Date.

7. The right of any party-in-interest to assert a claim against the Debtors’ estate for costs associated with the removal or disposition of Related Property is fully preserved; provided that any such claim must be filed by the applicable Bar Date; and provided further that the rights of all parties, including those of the Debtors, to contest any such claim are fully preserved.

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Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order (I) Authorizing the Rejection of Certain Unexpired Leases of Non-Residential Real Property, (II) Authorizing the Abandonment of Related Property, (III) Establishing a Claims Bar Date, as Applicable, and (IV) Granting Related Relief

8. The Debtors shall notify any party known by the Debtors to assert or hold an interest in the Related Property by service of this Order on such party.

9. The requirements set forth in Bankruptcy Rules 6006 and 6007 and Local Rule 6007-1, are satisfied by the contents of the Motion or otherwise deemed waived.

10. Consistent with Bankruptcy Rule 6006(g), this Order constitutes a separate order with respect to each Designated Lease and the notice of rejection of such Designated Lease covered hereby.

11. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

12. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

13. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

14. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

EXHIBIT A

Landlord Name & Address	Designated Lease Location ¹	Related Property ²	Name/Address for Related Property (if applicable)	Rejection Date
MERI PROPERTIES, LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	475 Research Parkway Meriden, CT 06450	TBD	TBD	3/15/2019
15 Middletown Ave. Corp. c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	15 Middletown Ave. North Haven, CT	NA	NA	3/15/2019
Quest Workspaces 515 North Flagler Drive Suite P-300 West Palm Beach, FL 33401	515 North Flagler Drive Suite P-300 West Palm Beach, FL 33401	TBD	TBD	3/15/2019
Caleast Nat, LLC Attn: Amanda Longworth, Accts Rec Bank of America 1808 Swift Dr Ste A Oak Brook, IL 60523	2300 Landmeier Road Elk Grove Village, IL 60007	TBD	TBD	4/15/2019
RLF I-A SPE, LLC Attn: Shannon Singleton 201 West St, Ste 200 Annapolis, MD 21401	23348 West Eames Street Channahon, IL 60410	TBD	TBD	3/31/2019
Fort Wayne Terminal LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	2532 Bremer Road Fort Wayne, IN 46803	TBD	TBD	3/15/2019
Belmont & Indianapolis Terminal Partnership 8463 Castlewood Drive Indianapolis, IN 46250	1702 South Belmont Avenue Indianapolis, IN 46221	TBD	TBD	3/31/2019
NORTH RED TRUCK CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	90 Concord Street North Reading, MA 01864-2607	TBD	TBD	Upon Surrender
SPRINGFIELD TERMINAL CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	1311 Union Street Springfield, MA 01089	TBD	TBD	3/15/2019
3600 GEORGETOWN CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	1508 John Avenue Baltimore, MD 21227	TBD	TBD	3/15/2019
NORTHEAST Commerce Center I LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	3 Center Drive Northeast, MD 21901-2406	TBD	TBD	Upon Surrender
16503 Hunters Green, LLC Attn: Rachel P O Box 4217 Hagerstown, MD 21741-4217	16503 Hunters Green Parkway Hagerstown, MD 21740	TBD	TBD	3/31/2019

Landlord Name & Address	Designated Lease Location ¹	Related Property ²	Name/Address for Related Property (if applicable)	Rejection Date
Perry Road, LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	34 Perry Road Bangor, ME	NA	NA	3/15/2019
Fair Terminal Corp. c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	7 Mansion Libby Road Portland, ME 04074-8983	TBD	TBD	Upon Surrender
CONCORD TERMINAL LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	118 Hall Street Concord, NH 03301	TBD	TBD	3/15/2019
NORTH AVENUE EAST, LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	1-71 North Avenue East Elizabeth, NJ 07201-2958	TBD	TBD	Upon Surrender
UNITED EXPRESS LINES INC. c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	1618 Union Avenue Pennsauken, NJ 08110	TBD	TBD	Upon Surrender
HOLLYWOOD CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	310 Hollywood Avenue South Plainfield, NJ 07080-4202	TBD	TBD	Upon Surrender
Nancy SB Corp c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	4315 Albany Street Colonie, NY 12205	TBD	TBD	3/15/2019
Thru View, LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	38 Old Karner Road Colonie, NY	TBD	TBD	3/15/2019
Babco LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	159 Eads Street West Babylon, NY	TBD	TBD	3/15/2019
OLD BETH LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	1 Imperatore Drive Bethpage, NY 11804	TBD	TBD	3/15/2019
William L. Ecker and Terry Ecker Claims Office 5322 Wheeler Rd Jordan, NY 13080	5302 Wheeler Road Jordan, NY	TBD	TBD	Upon Surrender
ZACH CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	91 Sulfur Springs Road Owego, NY 13827	TBD	TBD	3/15/2019

Landlord Name & Address	Designated Lease Location ¹	Related Property ²	Name/Address for Related Property (if applicable)	Rejection Date
JON S. CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	410 Grand Island Boulevard Tonawanda, NY 14150-6505	TBD	TBD	Upon Surrender
ORANGE TRUCK CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	194 Neelytown Road Montgomery, NY 12549-2821	TBD	TBD	Upon Surrender
MERCOHEN CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	50 Louise Street Rochester, NY 14606	TBD	TBD	3/15/2019
6867 Schuyler Road LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	68-67 Schuyler Road Dewitt, NY 13457	TBD	TBD	3/15/2019
SCHUYLER ROAD CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	7201 Schuyler Road East Syracuse, NY 13057	TBD	TBD	3/15/2019
Clermont Holdings, LLC 901 Adams Crossing Cincinnati, OH 45202	2500 Commerce Blvd. Cincinnati, OH 45241	TBD	TBD	3/31/2019
Seabreeze North Corp P O Box 535 2958 Brecksville Rd Richfield, OH 44286-0535	3024 Brecksville Road, Suite A Richfield, OH 44286	TBD	TBD	3/31/2019
COLUMBUS TERMINAL LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	1700 Georgesville Road Columbus, OH 43228-3620	TBD	TBD	Upon Surrender
TOLEDO TERMINAL LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	1260 Matzinger Road Toledo, OH 43612-3849	TBD	TBD	Upon Surrender
Camp Hill Terminal LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	2875 Appleton Street Camp Hill, PA 17011	NA	NA	Upon Surrender
AMERACH LP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	2800 Appleton Street Camp Hill, PA 17011-8001	TBD	TBD	Upon Surrender
Work Street, LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	2550 South Work Street Falconer, NY 14733	TBD	TBD	3/15/2019
LEHCO LP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	457 Mahoning Drive Lehigh, PA 18235-9701	TBD	TBD	Upon Surrender

Landlord Name & Address	Designated Lease Location ¹	Related Property ²	Name/Address for Related Property (if applicable)	Rejection Date
12731 RTE. 30 CORP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	12731 Route 30 West Irwin, PA 15642	TBD	TBD	3/15/2019
North Turbo Corp. c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	RD #1 (Parcel 00-008-024A) Town of Watsontown Township of Delaware, PA	TBD	TBD	3/15/2019
MILTON PROPERTIES LP c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	110 Sodom Road Milton, PA 17847	TBD	TBD	3/15/2019
D M Express URB GARDEN HILLS CALLE MEADOW LANE A5 Guaynabo, PR 00966	Puerto Rico Centro Mercantil Internacional EDIF 5 Local 1 Guaynabo, PR 00966-3919	TBD	TBD	3/31/2019
55 DELTA LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	400 Division Street (Lot 0337) Pawtucket, RI 02860	TBD	TBD	3/15/2019
55 DELTA LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	466 Division Street (Lot 0705) Pawtucket, RI 02860	TBD	TBD	3/15/2019
55 DELTA LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	55 Delta Drive (Lot 0344) Pawtucket, RI 02860	TBD	TBD	3/15/2019
345 Walcott Street, LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	345 Walcott St Pawtucket, RI	TBD	TBD	3/15/2019
Jafray Realty Inc. c/o Pascal Service Corporation 51 Delta Drive Pawtucket, RI 02860	51 Delta Drive Pawtucket, RI 02860	NA	NA	3/31/2019
RICHMOND TERMINAL LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	6110 Jefferson Davis Highway Richmond, VA 23234	TBD	TBD	3/15/2019
MG Roanoke/Plantation LLC 5607 Grove St Richmond, VA 23226	1919 Plantation Road NE Roanoke, VA 24012	TBD	TBD	3/31/2019
Burmout LLC c/o AMZ Management LLC 1-71 North Ave E Elizabeth, NJ 07201	1087 Avenue D Extension Williston, VT 05495	TBD	TBD	3/15/2019

Landlord Name & Address	Designated Lease Location ¹	Related Property ²	Name/Address for Related Property (if applicable)	Rejection Date
PCG, Inc Attn: Pat Graney 412 Tennessee Ave Charleston, WV 25302	500 River East Drive Belle, WV 25015	TBD	TBD	3/31/2019

¹. Shaded Designated Leases indicates an Auction Location.

². Related Property being abandoned by the Debtors may include property in which a third-party has an interest.